

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 8, 10-23 and 25-27 are now present in the application. Claims 8, 14 and 19 have been amended. Claims 8, 14 and 19 are independent. Reconsideration of this application, as amended, is respectfully requested.

Claim Rejections Under 35 U.S.C. §§ 102 & 103

Claims 8, 10-12, 14-17, 19-22 and 25-27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lopatinsky, U.S. Patent No. 6,659,169. Claims 13, 18 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopatinsky. These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. As the Examiner will note, independent claims 8, 14 and 19 have been amended to recite a combination of elements including "a heat sink, including a plurality of first cooling fins and a plurality of second cooling fins located at the same plane as the first cooling fins" and "the second cooling fins include a lower portion." Applicants respectfully submit that the above combination of elements as set forth in amended independent claims 8, 14 and 19 is not disclosed nor suggested by the references relied on by the Examiner.

In particular, Lopatinsky discloses that the cooler comprises a heat sink having a plurality of first fins 112 and a plurality of second fins 109. As shown in Figs. 8 and 9 of Lopatinsky, the

first fins 112 and the second fins 109 are located on at different planes. More specifically, the first fins 112 are located higher than the second fins 109. In addition, the second fins 109 do not include a lower portion as recited in claims 8, 14 and 19. Therefore, Lopatinsky fails to teach “a heat sink, including a plurality of first cooling fins and a plurality of second cooling fins located at the same plane as the first cooling fins” and “the second cooling fins include a lower portion” as recited in claims 8, 14 and 19.

Since Lopatinsky fails to teach each and every limitation of amended independent claims 8, 14 and 19, Applicants respectfully submit that claims 8, 14 and 19 and their dependent claims (at least due to their dependency) clearly define over the teachings of Lopatinsky. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

CONCLUSION

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

Application No. 09/930,990
Amendment dated February 27, 2008
Reply to Office Action of November 29, 2007


Docket No.: 0941-1282PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: February 29, 2008

Respectfully submitted,

By 

 Paul C. Lewis

#61007

Registration No.: 43,368

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant